

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOEL MEANS, Inmate #581357,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 06-140-JLF
)	
DAIV DONKEN, DOROTHY DRIVER,)	
DR. LEHMEN, and NURSE ROBBTE,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

FOREMAN, District Judge:

Plaintiff, a detainee in the Menard Psychiatric Center, filed this action pursuant to 42 U.S.C. § 1983 on February 15, 2006. On February 2, 2006, the same Plaintiff filed a complaint, also pursuant to section 1983, *see Means v. Donken*, Case No. 06-cv-104-JLF. Both complaints are extremely difficult to decipher. However, the two complaints contain two defendants in common (Donken and Driver) and contain essentially the same allegations. Plaintiff has neither paid the filing fee in either action nor filed applications to proceed *in forma pauperis*. The Court believes that this case should be closed, and that the complaint filed in this action should be filed as an amended complaint in the other action. ***The Court hereby gives Plaintiff notice that it intends to close this case and file the complaint in case no. 06-cv-104-JLF. If the Plaintiff wishes to continue in both cases, Plaintiff shall inform the Court in writing within thirty (30) days. Plaintiff is warned that he will be required to pay the \$250 filing fee in both actions if he continues with them separately.***

IT IS ORDERED that upon conclusion of this thirty-day period, should Plaintiff fail to comply with this order, this case will be closed for failure to comply with an order of this Court.

FED.R.CIV.P. 41(b); *see generally* *Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994).

IT IS SO ORDERED.

DATED: April 27, 2006.

s/ James L. Foreman

DISTRICT JUDGE